

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DAEVON LYONS,

Plaintiff,

v.

MICHAEL MCGINNIS, et. al.,

Defendants.

DECISION & ORDER

04-CV-6157L

On April 6, 2004, plaintiff in the above-referenced matter filed a *pro se* Complaint pursuant to 42 U.S.C. § 1983, alleging, *inter alia*, that he has been subjected to cruel and unusual punishment and unreasonable searches and seizures. (Docket # 1). By order dated October 28, 2004, this matter was referred to the undersigned for the supervision of pre-trial discovery and the hearing and disposition of all non-dispositive motions, pursuant to 28 U.S.C. §§ 636(b)(A) and (B). (Docket # 18).

Currently before the Court are plaintiff's *pro se* motions to compel responses to interrogatories (Docket # 56) and to compel the production of documents (Docket # 57). A review of the Court's docket, however, reveals that defendants filed answers to plaintiff's interrogatories on June 2, 2005 (Docket # 55), June 23, 2005 (Docket # 58), June 24, 2005 (Docket # 59), and June 29, 2005 (Docket # 60). Defendants thereafter filed a response to plaintiff's request for the production of documents on July 12, 2005. (Docket # 63).

Accordingly, plaintiff's motions to compel responses to interrogatories (**Docket # 56**) and the production of documents (**Docket # 57**) are **DENIED as moot**.

IT IS SO ORDERED.

s/Marian W. Payson

MARIAN W. PAYSON
United States Magistrate Judge

Dated: Rochester, New York
July 20, 2005.